

**Amendment to the Drawings:**

The attached sheets of drawings include changes to Figures 1 - 6. These sheets, which include Figures 1 - 6, replace the original sheets including Figures 1 - 6. In Figures 1 - 6, the previously omitted elements have been added.

In the drawings as originally filed with the specification of the present Application No. 10/719,390, none of the elements in the drawings were numbered. However, the elements were numbered in Provisional Application 60/443,075, filed January 28, 2003, whose priority is claimed by the present application. Enclosed with this paper are:

- (a) Replacement Sheets (8) in which elements are numbered, and
- (b) Annotated sheets (8) showing changes.

The numbering in the drawings follows the specification and the drawings filed in the Provisional Application. The annotations are all handwritten

Attachment: Replacement Sheets  
Annotated Sheets Showing Changes

## **REMARKS/ARGUMENTS**

### **1. In the Specification**

In the Specification, the Abstract has been amended to correct minor editorial problems.

### **2. Claims**

Claims 1, and 3-9 remain in this application. Claim 1 has been amended. Claim 2 has been canceled. The independent claims remaining in the application are amended claim 1 and original claim 7.

Claims 1 has been amended by incorporation of the subject matter of claim 2 as a wherein clause. The examiner indicated in the Office Action that claim 2 would be allowable if rewritten to include the subject matter of the base claim and all intervening claims. The base claim is claim 1. There are no intervening claims. Incorporation of claim 2 into claim 1 is the most effective way of accomplishing the amendment.

Claim 3 has been amended by deleting the word "optionally".

Claim 7 was indicated as being allowable as written provided that the drawing are numbered, which has been done.

Applicants respectfully submit that claims 1 and 3-7, as they may be amended herein, are allowable over the cited art. Applicants also submit that claims 3-6 are allowable for being dependent on an allowable base claim.

### **3. Drawings**

The Examiner has indicated in the accompanying form PTO-948 that the informal drawings previously submitted have not been approved. Formal drawings are submitted with this Response for the Examiner's review and approval, along with a cover letter to the Official Draftsman. The changes in the drawings are as follows.

***In amended Figures 1 - 6, the previously omitted element numerals have been added.***

As previously stated herein, in the drawings as originally filed with the specification of the present Application No. 10/719,390, none of the elements in the drawings were numbered. However, the elements were numbered in Provisional Application 60/443,075, filed January 28, 2003, whose priority is claimed by the present application. Enclosed with this paper are:

- (a) Replacement Sheets (8) in which elements are numbered, and
- (b) Annotated sheets (8) showing changes.

The numbering in the drawings follows the specification and the drawings filed in the Provisional Application. The annotations are all handwritten

#### **4. § 112 Rejections**

The Examiner has rejected claims 1 - 7 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. In particular, the Examiner asserts that the claims contain subject matter which was not described in the specification because the drawings lack any of the reference numerals described in the specification, which would thus require undue experimentation to make or use the claimed invention.

The drawings have been corrected by insertion of the numerals. Annotated and formal drawings are enclosed with this paper.

Therefore, in view of the corrections of the drawings, applicants submit that it is proper for the Examiner to withdraw the §112 rejection.

#### **5. § 103 Rejections**

The Examiner has rejected claims 1, 4, and 5 under 35 U.S.C. § 103(e) as being unpatentable for obviousness over U.S. Patent No. 6,546,180 (Koyano, et al).

Specifically:

- (a) Regarding claim 1, the Examiner asserts that Koyano teaches a dispersion compensation module for optical communication;
- (b) Regarding claim 4, the Examiner asserts that Koyano discloses the recited limitations in column 9, line 22 – 28; and

- (c) Regarding claim 5, the Examiner asserts that Koyano discloses the first shaped structure 66 has a circular opening and the second shaped structure 60 has a circular groove 63a.

In addition, the Examiner has rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable of Koyano as applied to claim 1 above and further in view of Patent No. 6,322,205 B1 to Kles. Koyano discloses the claimed invention except that Koyano uses circular shapes instead of elliptical shapes. Kles shows that the elliptical shape is an equivalent structure known in the art.

Applicants submit that the foregoing §103 rejections are moot in view of the amendments herein to the claims.

The Office Action indicated that claims 2, 3 and 7 would be allowable is rewritten in independent form incorporating all the limitations of the base claim and any independent claims. With regard to claims 2 and 3, applicants have done this by incorporating the subject matter of claim 2 into claim 1. Claim 3 further limits claim 2 by specifying that an additional layer of cushioning material can be added.

#### **4. Allowed Claims/Subject Matter**

Applicant notes with appreciation the Examiner's indication that the subject matter of claims 2, 3 and 7 are patentable and would be allowable if rewritten in independent form and if the drawings are corrected. Both the foregoing has been done.

Based upon the above amendments, remarks, and papers of records, applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Applicant believes that no extension of time is necessary to make this Reply timely. Should applicant be in error, applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with

Appl. No.: 10/719,390  
Amdt. Dated: July 29, 2005  
Reply to Office Action of: July 12, 2005

respect to said time extension to the deposit account of the undersigned firm of attorneys,  
Deposit Account 03-3325.

Please direct any questions or comments to Walter M. Douglas at 607-974-2431.

29 July 2005  
Date

<p><b><u>CERTIFICATE OF TRANSMISSION</u></b> <b><u>UNDER 37 C.F.R. § 1.8</u></b></p> <p>I hereby certify that this paper and any papers referred to herein are being transmitted by facsimile to the U.S. Patent and Trademark Office at Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:</p> <p><u>29 July 2005</u> Date</p> <p><u>Walter M. Douglas</u> Walter M. Douglas Date</p>
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Respectfully submitted,  
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